CLERK US DISTRICT COURT NORTHERN DIST. OF TX FILED

## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS AMARILLO DIVISION

DELBERT FRANCIS STRATON,	§	
Petitioner,	§ § 8	
v.	8 8	2:08-CV-0038
RICK THALER, Director,	\ \{\}	
Texas Department of Criminal Justice,	§	
Correctional Institutions Division,	§	
	§	
Respondent.	§	

## ORDER OVERRULING OBJECTIONS, ADOPTING REPORT AND RECOMMENDATION and DENYING PETITION FOR A WRIT OF HABEAS CORPUS

Petitioner has filed with this Court a petition for a federal writ of habeas corpus. On January 28, 2011, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that the instant habeas application be denied. On February 14, 2011, petitioner filed objections to the Magistrate Judge's Report and Recommendation.

The undersigned United States District Judge has made an independent examination of the record in this case and has considered the objections made by petitioner to the Report and Recommendation.

The objections filed by petitioner are hereby OVERRULED and the Magistrate Judge's Report and Recommendation is ADOPTED. Accordingly, the petition for a writ of habeas corpus is DENIED.

UNITED STATES DISTRICT JUDGE